Remarks

Claims 1-20 are pending, with claims 1, 9, 17, 18, and 19 being in independent form.

In the Office Action, claims 1-6, 9, 10, 15, and 17-20 have been rejected for anticipation by International Publication No. WO 99/01848 to Vatenan ("Vatenan"). Claims 7, 8, and 11-14 have been rejected for obviousness over Vatenan in view of U.S. Patent No. 6,463,534 to Geiger and International Publication No. WO 98/57511 to Sandgren, and claim 16 over Vatenan in view of U.S. Patent No. 5,425,077 to Tsoi.

To support a rejection under 35 U.S.C. § 102, each and every feature of the claimed invention must be shown in a single prior art document. Moreover, to establish a prima facie case of obviousness, the cited documents must teach or suggest all of the claim limitations. As discussed below, the claims positively recite limitations that are not disclosed nor suggested in the cited documents and are therefore not anticipated by, nor obvious in view of the cited documents.

Applicants describe a method and system for executing secure data transfer between a communication device and an application server in a wireless network. Claim 1 recites, among other features, that the data signed by the signing application of the communication device is sent from the communication device to the security adapter, wherein the signature is verified for the data, and the verified signed data is sent to the server for execution of the transaction. The security adapter resides on the network distinctly from the server and the communication device.

In the Advisory Action mailed January 9, 2004, the Examiner still contends that Vatenan discloses that the signature for the signed data is verified and the verified signed data is sent to the server for execution of the transaction, making reference now only to p. 3, ll. 10-25, of Vatenan. Applicants still respectfully disagree.

This passage in Vatenan (p. 3, ll. 10-25,) discusses activating/closing applications in the SIM using the key list. There is no discussion of verifying signed data. In fact, Vatenan mentions that an application to be activated or closed is an electronic signature application. Assuming, for arguments sake, that the electronic signature application is activated to sign data (although this is not disclosed), there is

still no mention of verifying the signed data. Even if there was any hint of verification, such verification would be done in the SIM, not in a security adapter distinct from the communication device housing the SIM.

As previously stated, Vatenan only discusses verification in any form at page 4, lines 21-34, and in particular lines 29-34, where it states "the right of access to the application is preferably verified in the application control server and, if valid access right exists, the special data needed in the application [in the mobile station], for example service description and application specific user interface codes, are sent [to the mobile station]." That is, verification does not take place in Vatenan until the data reaches the application control server. Vatenan fails to discloses or suggest verifying the data by the security adapter prior to and for transmission from the security adapter to the application server for execution of the transaction according to the claimed invention. In contrast, Vatenan discloses verification of the right of access to an application is performed in the application control server to obtain the special data needed in the application to be executed in the mobile station.

Moreover, Vatenan does not disclose or suggest that verified signed data is sent to the server for execution of the transaction, as in claim 1. In fact, there is no verified signed data sent anywhere in Vatenan. The only thing verified is the right of access to an application in Vatenan.

Still further, Vatenan does not disclose or suggest sending any data from a security adapter to the server. There is no security adapter residing on the network distinctly from the server and the communication device in Vatenan as in claim 1.

If the Examiner disagrees with any of the above points, the Examiner is requested to point out particularly where the corresponding feature is disclosed or suggested.

Using the Applicants' method and system, a higher level of security during data transfer is achieved for conventional WAP browsing. Moreover, the application in the SIM-card is greatly simplified, requiring less memory and other resources and allowing a thinner and more flexible design.

None of the other cited documents cures the deficiencies of Vatenan.

Accordingly, since the cited documents fail to disclose or suggest all of the claim limitations for at least the above reasons, both the anticipation and the obviousness rejections of the claims should be withdrawn.

For the foregoing reasons, Applicants consider the application to be in condition for allowance and respectfully request notice thereof at an early date. The Examiner is encouraged to telephone the undersigned at the below-listed number if, in the Examiner's opinion, such a call would aid in the examination of this application.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: _____
Theodosios Thomas
Registration No. 45,159

P.O. Box 1404
Alexandria, Virginia 22313-1404
(919) 941-9240

Date: Jan 16, 2004

I hereby certify that this correspondence is being sent by facsimile transmission to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 to the following facsimile number:

Facsimile Number: 703 872 9306
Date of Transmission: January 16, 2004

_____
Ted Thomas